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PATENT
ATTY. DOCKET NO.: 114122.00135

#10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)	
)	
Matthew TORRES et al.)	BOX PCT
)	
Serial No.: 09/926,094 ✓)	ATTN: International Division
(PCT/US00/34535))	Legal Staff (Richard M. Ross)
Int'l Filing Date: 20 December 2000)	
)	
Filed: August 30, 2001)	
)	
For: FLOW-THRU CHIP)	
CARTRIDGE, CHIP HOLDER AND)	
METHOD THEREOF)	

SUBMISSION OF REVISED DECLARATION

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Decision on Renewed Petition under 37 CFR 1.47(a) (see copy attached) having a mail date of October 15, 2003, we are now submitting a revised Declaration executed by Mr. Ian Stuart Richard Smith identifying all named inventors. Accordingly, it is respectfully requested that the Declaration be accepted to complete the filing under 35 U.S.C. 371.

Serial No.: 09/926,094

Atty. Docket No.: 114122-00135

It is believed that no fee should be due for this submission. However, please charge any shortage or credit any overpayment of fees to BLANK ROME LLP, Deposit Account No. 23-2185 (114122-00135). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

BLANK ROME LLP

By: 

Brian C. Jones

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Atty. Docket No.: 114122-135

Date: November 12, 2003



15 OCT 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Brian Jones
BLANK ROME COMISKEY & MCCAULEY
900 17th Street NW Suite 1000
Washington, DC 20006

In re Application of: TORRES, Matthew, et al.
U.S. Application No.: 09/926,094
PCT No.: PCT/US00/34535
International Filing Date: 20 December 2000
Priority Date: 22 December 1999
Attorney's Docket No.: 114122.0115US
For: FLOW-THRU CHIP CARTRIDGE, CHIP
HOLDER, SYSTEM AND METHOD THEREOF

DECISION ON RENEWED
PETITION UNDER
37 CFR 1.47(a)

In a decision mailed 12 March 2003, applicants' petition under 37 CFR 1.47(a) for acceptance of the application without the signature of inventor Ian Stuart Richard Smith was dismissed for failure to satisfy all the requirements of a grantable petition.

On 12 May 2003, applicants filed a response, considered herein, which included a declaration executed by the previously nonsigning inventor, Mr. Smith. Based on this submission, applicants' petition under 37 CFR 1.47(a) is now **MOOT**.

However, the declaration filed on 12 May 2003 and executed by Mr. Smith is not acceptable under 37 CFR 1.497. Specifically, the declaration executed by Mr. Smith does not identify all the inventors herein (Mr. Smith is the only inventor named on the declaration).

Applicants must submit a revised declaration executed by Mr. Smith which names all the inventors herein and which otherwise satisfies the requirements of 37 CFR 1.497. This revised declaration must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Failure to file a timely response will result in abandonment of the application.

Please address future correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Richard M. Ross
PCT Petitions Attorney
PCT Legal Office
Telephone: (703) 308-6155
Facsimile: (703) 308-6459

DOC
114122.0135
OCT
12-15-03
KCS
Deal Due

BT



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/926,094 ✓	FIRST NAMED APPLICANT Matthew Torres	ATTY. DOCKET NO. 114122.0115US
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INTERNATIONAL APPLICATION NO. PCT/US00/34535

I.A. FILING DATE 12/20/2000	PRIORITY DATE 12/22/1999
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Brian Jones
Blank Rome Comisky & McCauley
900 17th Street NW Suite 1000
Washington, DC 20006

CONFIRMATION NO. 5305

371 FORMALITIES LETTER



OC000000007741519

Date Mailed: 04/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Copy of the International Search Report

DOCKETED

114122.0135
APR - 5 2002 KCS

Decl Due 6.1.02
Action Due Due Date
1st Day 10.1.02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$3222 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees

are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3352** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$3222**
 - **\$2952** for **164** total claims over 20.
 - **\$270** for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9116

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/926,094	PCT/US00/34535	114122.0115US

FORM PCT/DO/EO/905 (371 Formalities Notice)

10/08/2002 GFREY1 00000095 232185 09926094

03 FC:154	130.00 CH
04 FC:966	2952.00 CH
05 FC:968	280.00 CH